

**Fiscal Services Division**  
**Legislative Services Agency**  
**Fiscal Note**

---

HF 2397 – Correctional Officer Assaults, Bodily Fluids (LSB 5961 HV)  
Analyst: Beth Lenstra (Phone: (515) 281-6301) ([beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us))  
Fiscal Note Version – New  
Requested by Public Safety Committee (House)

---

**Description**

House File 2397 relates to assaults on employees of county jails or State Department of Corrections (DOC) facilities. The Bill adds saliva to the list of body fluids that cause an assault. Conviction of such assault is punished as a Class D felony.

**Background**

1. There were two convictions in the last three years under Section 708.3B, Code of Iowa. One conviction was for assault, and one conviction was for assault with body fluids.
2. The average State costs for one Class D felony conviction ranges from \$3,100 (court costs, probation, and indigent defense) to \$12,100 (court costs, jury trial, indigent defense, prison and parole). The maximum costs will be incurred across multiple years while the offender is supervised in the correctional system, either in prison or in the community.

**Assumption**

Charge, conviction, and sentencing patterns and trends will not change over the projection period.

**Correctional Impact**

Adding saliva to the list of body fluids that cause an assault may increase the number of Class D felony convictions. That increase cannot be estimated but is not anticipated to be significant.

**Fiscal Impact**

The fiscal impact of HF 2397 cannot be determined due to insufficient information. The State's cost for one new Class D felony conviction ranges from \$3,100 to \$12,100.

**Sources**

Department of Human Rights, Criminal and Juvenile Justice Planning Division  
Department of Corrections  
Office of the State Public Defender  
Judicial Branch

---

/s/ Holly M. Lyons

February 16, 2006

---

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

---